

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

MDL No. 2323
No. 12-md-2323-AB

THIS DOCUMENT RELATES TO:

CIVIL ACTION
Case No. 2:12-cv-1023

VERNON MAXWELL, et al.

Plaintiffs,

v.

NATIONAL FOOTBALL LEAGUE, et al.,

Defendants.

**RIDDELL DEFENDANTS' REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF
MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT; EXHIBIT "A"**

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SPORTS CORPORATION; RIDDELL SPORTS GROUP, INC.;
EASTON-BELL SPORTS, INC.; EASTON-BELL SPORTS, LLC;
EB SPORTS CORP.; and, RBG HOLDINGS CORP.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

VERNON MAXWELL, et al.,

Plaintiffs,

vs.

NATIONAL FOOTBALL LEAGUE,
et al.,

Defendants.

CASE NO.: CV 11-8394 R (MANx)

**RIDDELL DEFENDANTS'
REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF MOTION TO
DISMISS PLAINTIFFS' FIRST
AMENDED COMPLAINT; EXHIBIT
"A"**

Date: January 17, 2012
Time: 10:00 a.m.
Dept: Courtroom 8

Judge: Hon. Manuel L. Real

Notice of related cases:
No. CV 11-08395 R (MANx)
No. CV 11-08396 R (MANx)

1 **TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR**
2 **THE CENTRAL DISTRICT OF CALIFORNIA AND ALL PARTIES AND**
3 **THEIR COUNSEL OF RECORD HEREIN:**

4 Defendants RIDDELL, INC. (erroneously styled as “d/b/a Riddell sports
5 Group, Inc.”); ALL AMERICAN, SPORTS CORPORATION; RIDDELL
6 SPORTS GROUP, INC.; EASTON-BELL SPORTS, INC.; EASTON-BELL
7 SPORTS, LLC; EB SPORTS CORP.; and RBG HOLDINGS CORP (collectively,
8 the “Riddell Defendants”)¹ respectfully request that this Court take judicial notice
9 pursuant to Federal Rules of Evidence, Rule 201 of the following item in support
10 of the Riddell Defendants’ Motion to Dismiss Plaintiffs’ First Amended
11 Complaint:

12 ***Hardman v. National Football League, et al., Los Angeles County***
13 **Superior Court Case No. BC471229 (Complaint).**

14 Pursuant to Rule 201 of the Federal Rules of Evidence, this Court should
15 take judicial notice of this state court complaint filed by the same plaintiff
16 attorneys involving similar allegations against the National Football League and
17 the Riddell Defendants.² Specifically, the Riddell Defendants refer this Court to
18 allegations in the Complaint which state as follows, “[t]he NFL has estimated that
19 75% of the helmets used in the League are manufactured by Riddell; Riddell
20 estimated that the figure was 77%.”

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25 ¹ Referring to these Defendants collectively is for convenience only and does not
26 imply or concede that they are properly joined or named as Defendants, and the
27 “Riddell Defendants” reserve the right to move to dismiss some or all of them.

28 ² The *Hardman* Complaint was voluntarily dismissed by the plaintiffs on
December 7, 2011, just two days after this Court’s ruling denying Plaintiffs’
Motion to Remand.

1 *Id.* at ¶ 100. A true and correct copy of the complaint in *Hardman v. National*
2 *Football League, et al.*, Los Angeles County Superior Court Case No. BC471229,
3 is attached hereto as Exhibit A.

4
5 DATED: December 20, 2011

BOWMAN AND BROOKE LLP

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7
8 By /s/ Paul G. Cereghini

Paul G. Cereghini

Vincent Galvin

Marion V. Mauch

Attorneys for Defendants RIDDELL,
INC., ALL AMERICAN SPORTS
CORPORATION, RIDDELL
SPORTS GROUP, INC., EASTON-
BELL SPORTS, INC., EASTON-
BELL SPORTS, LLC, EB SPORTS
CORP., and RBG HOLDINGS
CORP.